

“To-Be” Gap Analysis Implementation Steps

1. Gap Identification: Probate Gap Number 1: Standardize Probate Process
2. Implementation Steps:
 - a. Step 1: Utilize an interactive software tool for probates.
 - i. Complete the probate case management and tracking system (to be known here as “probate system”)
 - ii. Identify the interactive software requirements that are fulfilled by the probate system
 - iii. Develop requirements for capabilities not covered by the probate system
 - iv. Develop one set of regulations for probate (death to distribution)
 1. Identify new obligations for probate
 - v. Review and update capabilities of the probate system or build the interactive software tool based on all requirements
 - vi. Develop an implementation plan for the updated probate system or the interactive software tool
 - vii. Develop procedures/training on the probate system or interactive software tool
 - viii. Deploy the updated probate system or the interactive software tool based on the implementation plan
 - ix. Provide training on the probate system or the interactive software tool per the implementation plan
 - x. Develop performance measures for the probate process
 - b. Step 2: Leverage existing research services.
 - i. Identify existing research services that may be utilized by probate staff
 - ii. Develop agreements with identified research services
 - iii. Determine clearances needed to use identified research services
 - iv. Provide Internet access to probate staff for research uses
 - v. Train probate staff and obtain any needed clearances for using identified research services
 - c. Step 3: Develop a National Probate Code.
 - i. Legislation that has been introduced by Committee on Indian Affairs
 1. Defines who inherits
 2. Consolidation of small interest at probate
 - ii. Once legislation is passed, develop training on using the National Probate Code
 - iii. Develop an implementation plan for code roll-out
 - iv. Provide training per the implementation plan
 - d. Step 4: Develop Expedited Probates
 - i. Develop the criteria for expedited probates

“To-Be” Gap Analysis Implementation Steps

- ii. Identify types of estates that may qualify for expedited probates with minimal risk
- iii. Develop an implementation plan for expedited probates
- iv. Develop procedures/training for expedited probates
 - v. Train probate staff for expedited probates
- vi. Deploy expedited probates per the implementation plan
- vii. Develop Outreach content in conjunction with the BRDM process
- viii. Schedule and deliver Outreach activities
- e. Step 5: Define individual Indian trust agreements (written agreement between DOI and a beneficiary on the use of their trust assets including disposition of those assets upon their death)
 - i. Develop criteria in conjunction with BRDM to implement the use of individual Indian trust agreements

3. Dependencies on Business Processes:

Business Process Name	Process Name (As specified in “To-Be” Model)	Dependency Description
BRDM		
Predecessors	1. B.2.1 Update Beneficiary Personal Data 2. B.2.4 Transfer Inquiry/ Request to Appropriate Office	1. Notification to probate staff of a change in personal status. 2. Receive inquiry or request re: pending probate case.
Successors	1. B.6.3.1 Beneficiary Account Administration 2. B.6.3.3 Payable Administration 3. B.6.1 Provide Counsel on Asset	1. Interactive software tool generates appropriate documents to open an account for a new heir. 2. Interactive software tool generates appropriate documents to expend funds for the maintenance of the estate. 3. Interactive software tool notifies BRDM of new heirs that should be counseled.

**“To-Be” Gap Analysis
Implementation Steps**

Business Process Name	Process Name (As specified in “To-Be” Model)	Dependency Description
	Options 4. B.5.1 Conduct Outreach Activity 5. B.5.2 Post Outreach Activity	4. When probate staff identifies a problem with the Prepare Probate Case process that can be resolved by a Departmental wide outreach they will work with BRDM to develop an outreach activity. 5. After an outreach activity the probate staff will analyze the effectiveness of the activity.
FO		
Predecessors	1. FO.1.3 Reconcile Exceptions 2. FO.5 Reporting Statements	1. Assist in resolution of issues. 2. Electronic access to account balances.
Successors	1. FO.1 .2a Post and Receive Trust Funds Receivable 2. FO.3.1 Create Funds Payable	1. Interactive software tool provides FO process the names of the heirs to receive funds. 2. Interactive software tool notifies FO process when the decision is final and the funds can be disbursed.
LNRP – Wide Area Plan		
Predecessors	1. None	
Successors	1. None	
LNRP - Appraisals		
Predecessors	1. P.1.1 Determine Appropriate Valuation Method 2. P.1.4 Transmit Determination	1. Request a valuation for special circumstances. 2. Interactive software tool determines if an appraisal is needed and downloads the appropriate appraisal/valuation.
Successors	1. None	
LNRUM		

**“To-Be” Gap Analysis
Implementation Steps**

Business Process Name	Process Name (As specified in “To-Be” Model)	Dependency Description
Predecessors	1. None	
Successors	1. None	
Ownership – Title		
Predecessors	1. O.4.2 Receipt of Recorded Documents and Update Title	1. Access to title data in the integrated data.
Successors	1. O.4.1 Record Approved Title Document	1. Interactive software tool generates appropriate documents for ownership changes when the probate decision becomes final.
Ownership – Probate		
Predecessors	1. O.3.1 Prepare Probate Case 2. O.3.2.1 Review of Probate File 3. O.3.2.2 Mail Proposed Decision 4. O.3.2.4 Finalize Decision 5. O.3.2.5 Consider Appeals	1. Transfer to Review Probate for decision on type of probate to be done. 2. Determination to mail a proposed decision to the interested parties or hold a formal hearing. 3. Beneficiary requests a formal hearing and the hearing is scheduled. 4. An appeal is filed and the final decision is suspended pending the outcome of the appeal. 5. An interested party files an appeal.
Successors	1. O.3.1 Prepare Probate Case 2. O.3.2.1 Review Probate File 3. O.3.2.2 Mail Proposed Decision	1. Probate file may be returned for further development. 2. Transfer the probate file for review to see if it meets criteria for a records based decision or if it will have to be assigned to a Judge for a hearing. 3. Mail a proposed decision to the interested parties.

**“To-Be” Gap Analysis
Implementation Steps**

Business Process Name	Process Name (As specified in “To-Be” Model)	Dependency Description
	4. O.3.2.3 Hold Hearing 5. O.3.2.4 Finalize Decision 6. O.3.2.5 Consider Appeal 7. O.3.3 Close Probate	4. There are three situations that would require a hearing: <ul style="list-style-type: none"> a. if an interested party requests a hearing b. there are questions of fact c. a judge determines a re-hearing is needed 5. Final decision is rendered. 6. The judge will consider and rule on the appeal. 7. No appeal was filed or a judge denies the appeal. The decision is implemented and the probate case is closed.
Ownership - Conveyance		
Predecessors	1. None	
Successors	1. O.1.5 Close Transaction	1. Completion of any needed conveyances as a result of the probate decision, before probate can be closed.
Ownership - Survey		
Predecessors	1. None	
Successors	1. None	

“To-Be” Gap Analysis Implementation Steps

4. Dependencies on Universal Support Functions:

Universal Support Function	Dependency Description
Automated System Requirements	<ol style="list-style-type: none"> 1. Use of the probate system or interactive software tool for probate. 2. Ability to access other federal and state databases at the lowest possible level (research). 3. Interface between the interactive software tool and the probate system if necessary. 4. Interactive software tool automatically updated with any changes to laws/regulations/policies/procedures.
Policies, Procedures and Regulations	<ol style="list-style-type: none"> 1. One set of regulations for the new probate process (death to distribution). 2. National Probate Code. 3. Develop agreements with other Federal and state agencies for use of data. 4. Develop procedures for expedited probates. 5. Develop procedures to use the National Probate Code. 6. Develop procedures for new probate process. 7. Policy regarding use of electronic signatures. 8. Policy regarding use of electronic probate documents.
Training	<ol style="list-style-type: none"> 1. Use of probate system or the interactive software tool for probate. 2. National Probate Code. 3. Single set of regulations for probate. 4. Use of other Federal and state databases and electronic research.
Records Management	<ol style="list-style-type: none"> 1. Retention and storage of electronic records. 2. Maintaining uniformity between electronic and hardcopy files.
Risk Assessment	<ol style="list-style-type: none"> 1. Risk associated with providing information based on erroneous data in an automated system. 2. Risks associated with maintaining an electronic and hardcopy probate file. 3. Risks associated with expedited probates. 4. Risks associated with inaccurate/untimely ownership information.
Workforce Planning	<ol style="list-style-type: none"> 1. Assessment of the workforce’s current skills/abilities and comparison of what skills/abilities needed for the “To-Be”. 2. Assessment of the workload using the “To-Be” probate process.

“To-Be” Gap Analysis
Implementation Steps

Universal Support Function	Dependency Description
Internal Controls / Fiduciary Security	<ol style="list-style-type: none">1. Interactive software tool designed to lead the user to ask appropriate questions, gather documents, use appropriate resources to resolve issues and document the results, built in checklist, etc.2. Design appropriate access and levels of use for the interactive software tool.